

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee

**From:** George Kotsifas, P. Eng.  
Deputy City Manager, Planning and Economic Development

**Subject:** Application By: Incon Developments Ltd.  
349 Southdale Road East  
Zoning By-law Amendment (Z-9308)  
Draft Plan of Vacant Land Condominium (39CD-21501)

**Public Participation Meeting on: May 31, 2021**

## Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Incon Developments Ltd. relating to the lands located at 349 Southdale Road East:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on June 15, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands **FROM** a Residential R3 (R3-3) Zone **TO** a Residential R6 (R6-5) Zone to permit cluster housing in the form of townhouse dwelling units with a maximum density of 34 units per hectare; and,
- (b) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 349 Southdale Road East.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended actions is to amend the Zoning By-law to permit cluster housing in the form of townhouse dwelling units and maximum density of 34 units per hectare and, to report to the Approval Authority any issues or concerns raised at the public meeting with respect to an application for Draft Plan of Vacant Land Condominium consisting of twenty (20) townhouse dwelling units and a common element for access driveway and services.

### Rationale of Recommended Action

1. The recommended Zoning By-law Amendment and Draft Plan of Vacant Land Condominium are consistent with the Provincial Policy Statement.
2. The proposed infill housing development satisfies the residential intensification and relevant planning policies of The London Plan and the 1989 Official Plan.
3. The recommended zoning amendment is appropriate and conforms with The London Plan and the Official Plan.
4. The proposed development is compatible and in keeping with the character of the surrounding residential neighbourhood.

## Linkage to the Corporate Strategic Plan

Building a Sustainable City - London's growth and development is well planned and sustainable over the long term.

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

**May 12, 2003** – Planning Committee – Application by City of London – North Longwoods Area Plan – relating to lands bounded by Southdale Road E, Wharncliffe Road S, White Oak Road and Bradley Avenue extension (O-6424).

**July 14, 2008** – Planning Committee – Application by City of London – Comprehensive Land Use Study – White Oak Road and Southdale Road East Area, Official Plan amendment is to encourage redevelopment of the block with a range of more intense residential development, subject to design guidelines (O-7507).

**April 26, 2010** - Planning and Environment Committee –The Southwest London Area Plan (SWAP) - provided a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road (O-7609).

#### 1.2 Planning History

In May 2002, an application was made by Skinner Associated Group for the property at 315 Southdale Road East at the southeast corner of Southdale Road and White Oak Road. The application request was to change the Official Plan designation of this vacant corner lot from Low Density Residential to Multi-Family, High Density Residential and to change the zoning from a single-family residential zone to a convenience commercial zone. The application was reviewed by Planning Staff and based on the size of the lot and the type of convenience commercial uses proposed, Staff recommended refusal of the application. During the application review process, other property owners within this area requested that the City consider the land use designation of their lands immediately south and east of the subject property. As a result, the application for 315 Southdale Road was referred back to Staff for a comprehensive review of the land use designations of the entire area.

At the request of area property owners, Staff undertook a review to determine the appropriateness of applying a Multi-Family, High Density Residential designation over the entire 2.8-hectare area. Based on Official Plan policies, it appeared that collectively the parcels within this quadrant met many of the location criteria for a MFHDR designation and were of sufficient size to accommodate a limited amount of high-density residential development with adequate room for buffering from adjacent uses.

During the public consultation process, Planning Staff received numerous responses from neighbourhood residents indicating that a MFHDR designation would not be appropriate adjacent to the existing low-density single-family neighbourhood to the east. Taking those concerns into consideration, Staff recommended that a transition in use from high density residential development at the intersection of White Oak Road and Southdale Road to a lower density form of development (medium density) would be appropriate. This approach would assist minimizing the perceived loss of privacy for those single detached dwellings on Josselyn Drive and limit the intensity of development on the site.

The report on the City-initiated review was presented at a public meeting of Planning Committee on April 28, 2003. Staff recommended that the immediate southeast corner of Southdale Road and White Oak Road should be designated MFHDR (approximately 1 hectare) and that the remaining lands (approximately 1.8 hectares) should be designated MFMDR to provide for an appropriate transition in scale and intensity. On May 5, 2003 Municipal Council met and referred the matter back to the General Manager of Planning & Development for further discussion with area residents and to report back to Planning Committee.

On February 16, 2004, Municipal Council resolved that no further action be taken with respect to the application initiated by the City of London to amend the Official Plan relating to these properties at the southeast corner of Southdale Road and White Oak Road.

In May, 2007, an application was made by King Street Holdings Ltd. to amend the Official Plan and Zoning By-laws for the properties at 333 and 337 Southdale Road East. The

Official Plan Amendment was to redesignate the subject lands from Low Density Residential to Multi-Family Medium Density Residential and amend the Zoning By-law from the Residential R3 (R3-3) Zone to a Residential R8 (R8-4) Zone to permit apartment buildings and stacked townhouses among other residential uses.

The application was reviewed by Planning Staff and was recommended for approval at the October 29<sup>th</sup> Planning Committee meeting. Specific recommendations included:

- a) An amendment to the Official Plan to change the land use designation from Low Density Residential (LDR) to Multi-Family Medium Density Residential (MFMDR)
- b) An amendment to the Z.-1 Zoning By-law from a Residential R3-3 Zone to a Holding Residential R8 (h-87\*R8-4\*D119) Zone to permit apartment buildings, handicapped persons apartment buildings, stacked townhouses, senior citizen apartment buildings, and continuum-of-care facilities up to a maximum density of 119 units per hectare (48 units/acre) and maximum height of 13 metres (42.7 ft), with the holding provision requiring the completion of a sanitary sewer capacity analysis study.

Furthermore, Staff added an “it being noted” clause regarding the applicant’s commitment to work with the City’s Site Plan staff and Urban Designer to address urban design concerns, including an aesthetically and architecturally pleasing built form and a pedestrian supportive environment along Southdale Road, through the site plan approval process.

The recommendations were passed by Municipal Council at its session November 5, 2007 with the addition of the following clause;

- c) the Civic Administration BE REQUESTED to conduct a comprehensive Official Plan review of the entire area from a broader planning perspective.

The Decision of Council was appealed to the Ontario Municipal Board (OMB) by neighbourhood residents who opposed the development based on the “inappropriateness of these applications proceeding in advance of a comprehensive plan, including final land use designation and zoning, for the entire southeast quadrant area of the Southdale Road / White Oak Road intersection that includes their own properties.” (OMB Memorandum of Oral Decision, April 9, 2008) Essentially, as the OMB describes, “The focus of the appellants was to protect their property interests from any prejudice that the proposal might cause related to additional future development in the quadrant”.

The Board found that “OPA 428 and the Zoning By-law are consistent with the PPS (Provincial Policy Statement), generally conform to the City OP (Official Plan)”, and “...are appropriate, represent good planning and are in the overall public interest of the community”. Therefore, the appeals were dismissed, OPA 428 was approved and By-law Z.-1-071674 is in effect to permit the development of the townhouse units.

In June of 2003, the North Longwoods Area Plan (NLAP) was prepared for 106 hectares (262 acres) of land bounded by Wharnccliffe Road South, Southdale Road East, White Oaks Road and the future Bradley Avenue extension. The NLAP was created to respond to development demands in the area and re-designated the lands from “Urban Reserve – Community Growth”. At the time, the subject site was designated as “Restricted Service Commercial”.

The Southwest London Area Plan (SWAP) was initiated in 2009 and presented to Planning Committee on April 26, 2010. The Area Plan was intended to provide a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road, east of Dingman Creek and north of the Highway 401/402 corridor. On November 20, 2012, Municipal Council passed By-Law No. C.P.-1284-(st)-331 to approve Official Plan Amendment 541 (relating to the Secondary Plan). The plan (with amendments) was approved by the Ontario Municipal Board on April 29, 2014. The subject site appears to have been redesignated through the SWAP. The lands are currently designated Low Density Residential.

Site plan approval will be required for the proposed cluster townhouse development, which will run parallel with the Vacant Land Condominium application (39CD-21501) which was accepted on January 29, 2021.

### 1.3 Property Description

The property is located on the south side of Southdale Road East, east of White Oak Road, east Josselyn Drive and north of Devon Road. The lot is currently occupied by an older single detached, one storey dwelling, detached garage, and a large rear yard.

### 1.4 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Low Density Residential (rear portion of parcel), Multi-Family Medium Density Residential (front portion of parcel)
- The London Plan Place Type – Neighbourhoods
- Zoning – Residential R3 (R3-3)

### 1.5 Site Characteristics

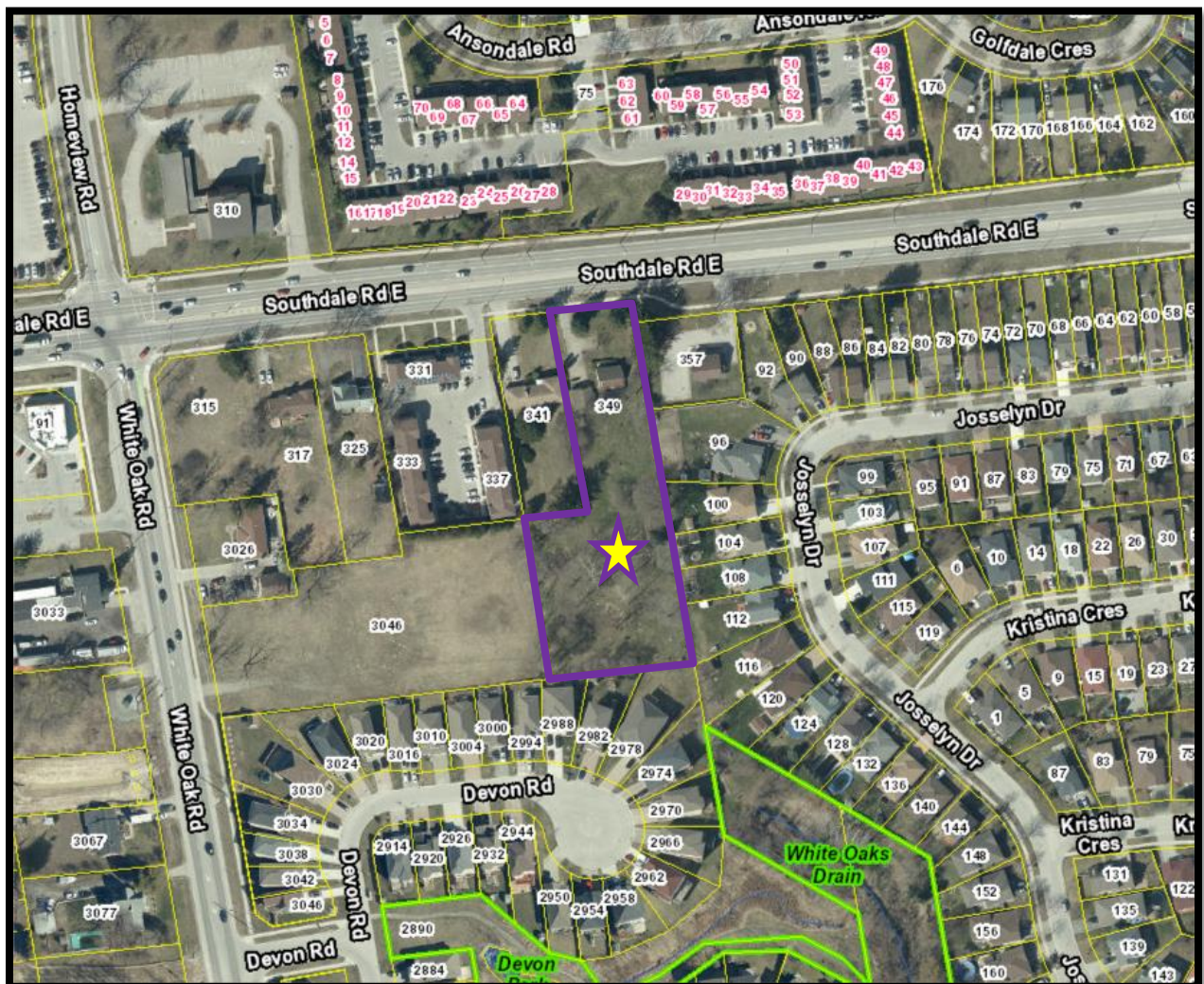
- Current Land Use – residential single detached dwelling
- Frontage – 31.8 metres
- Depth – approx. ~143 metres
- Area – approx. 6,233 square metres or 0.62 hectares total area
- Shape – flag shaped

### 1.6 Surrounding Land Uses

- North – cluster townhome dwellings
- East – residential single detached dwellings
- South – residential single detached dwellings
- West – residential single detached dwellings and vacant land

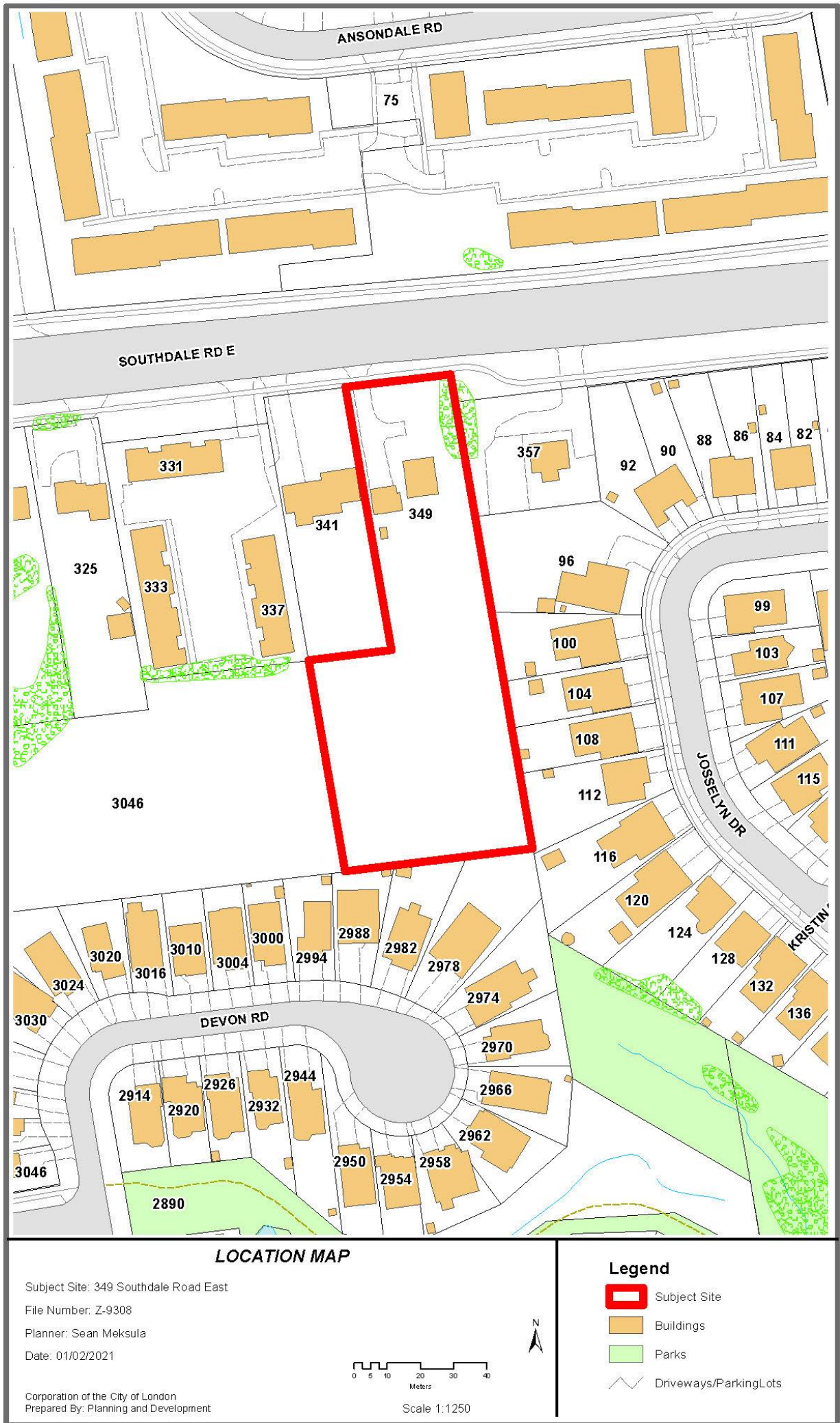
### 1.7 Intensification (20units)

- The 20-unit, cluster townhome development located outside of the Built-Area Boundary and Primary Transit Area



 349 Southdale Road East

# 1.8 Location Map

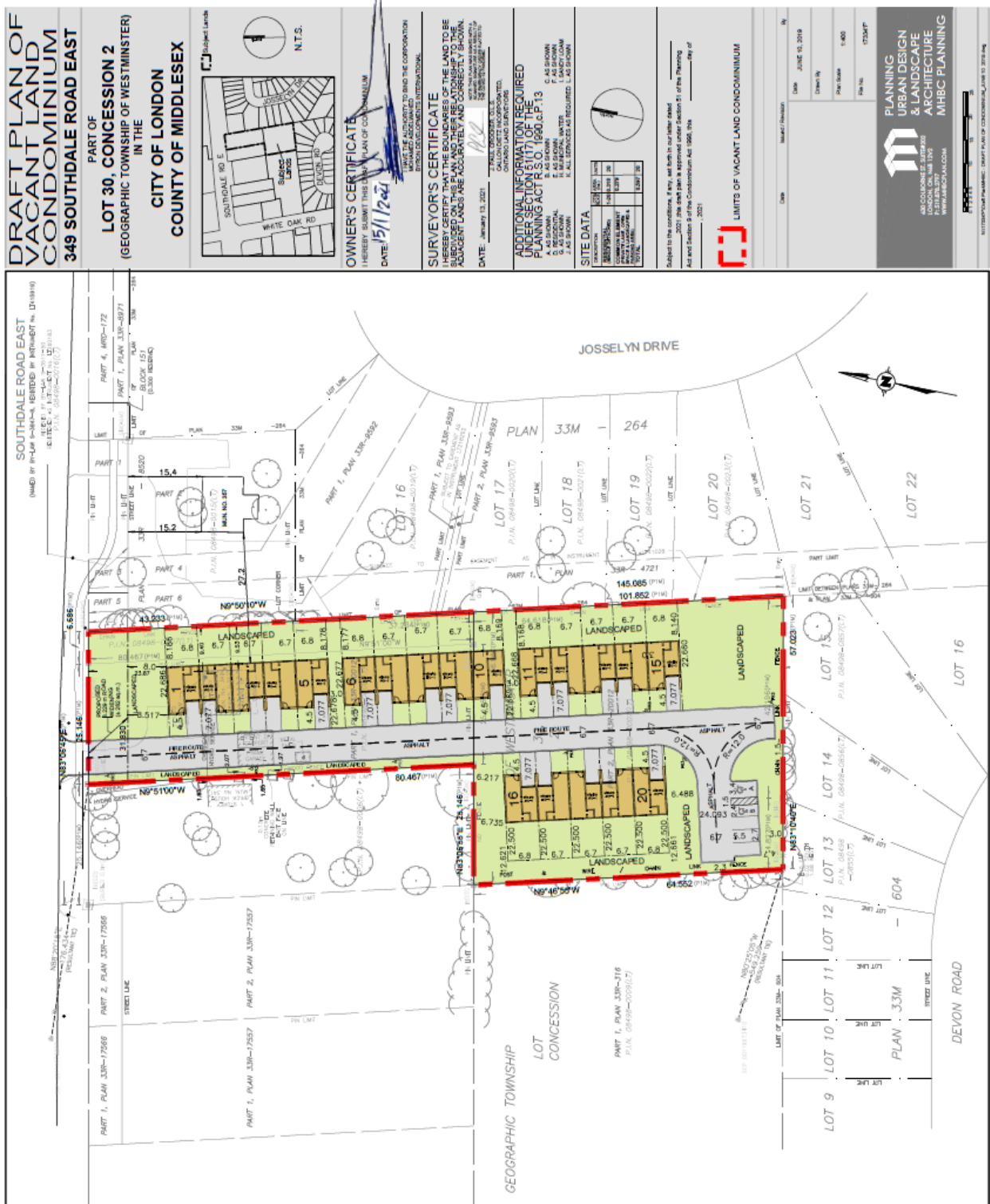


## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The intent of the application request is to create twenty (20) Vacant Land Condominium units to be developed in the form of cluster townhouse dwellings on the property along a private road with access to Southdale Road East. Landscaped areas, internal driveways, services, and visitor parking spaces will be located within a common element to be maintained and managed by one Condominium Corporation. The existing dwelling and detached garage are proposed to be demolished.

### 2.2 Proposed Draft Plan of Vacant Land Condominium



# 2.3 Tree Protection Plan

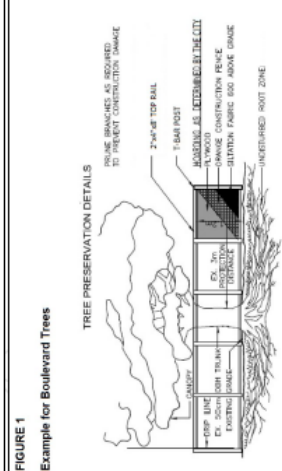
**Map 2**  
**349 Southdale Road East**  
**London**  
**Tree Inventory and Preservation Plan**

**NATURAL RESOURCE SOLUTIONS INC.**  
 1000 SHEPPARD AVENUE EAST, SUITE 100, SCARBOROUGH, ONTARIO M1S 1T7  
 TEL: (416) 291-1111  
 WWW.NRSOLUTIONS.COM

**Figure 2**  
**Tree protection signage**

**TREE PROTECTION ZONE**

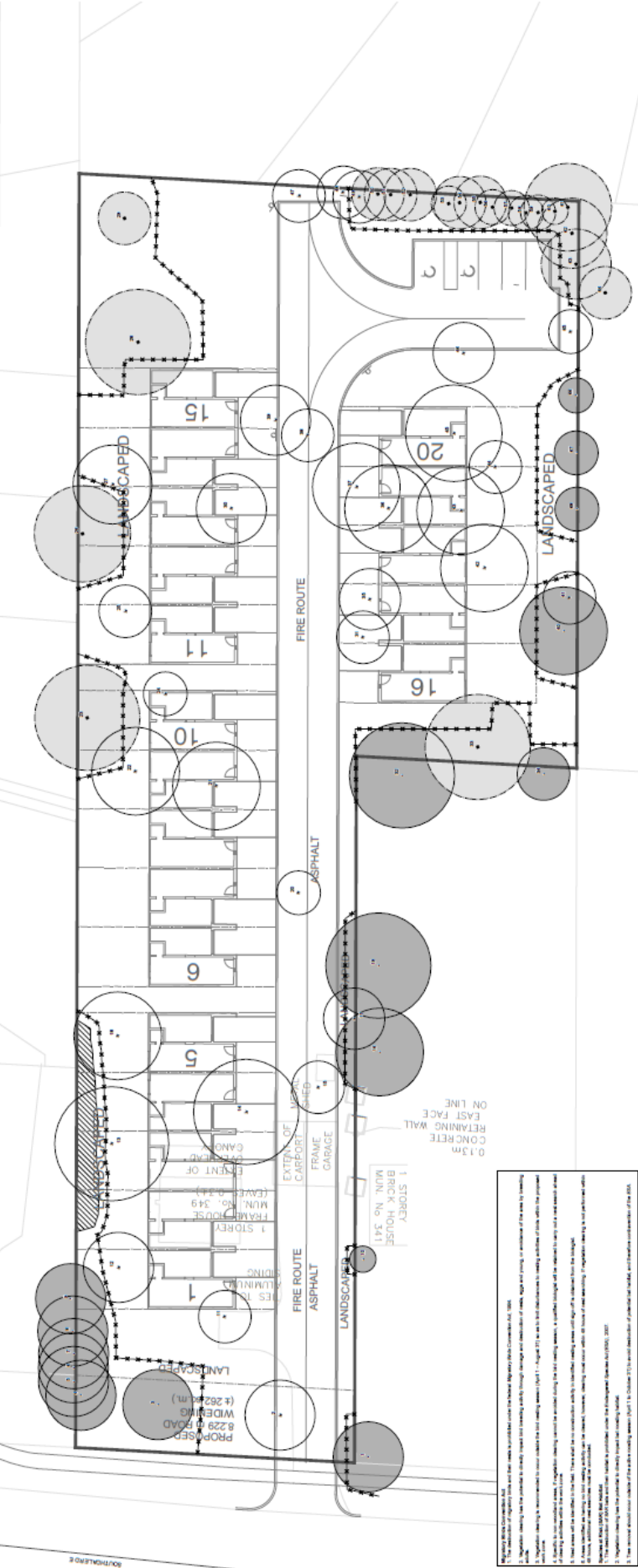
No grade change, storage of materials or equipment is permitted within this TPZ. Tree protection barrier must not be moved or altered in any way without the approval of the City of London. For information, contact the City of London at: (519) 861-2500 ext 7777



Tree ID	Species	DBH (cm)	Height (m)	Health	Location	Notes
T001	Maple	15	10	Good	Front Yard	Preserve
T002	Oak	20	15	Good	Back Yard	Preserve
T003	Birch	10	8	Fair	Front Yard	Preserve
T004	Redwood	25	20	Good	Back Yard	Preserve
T005	Juniper	8	6	Good	Front Yard	Preserve
T006	Yew	12	12	Good	Back Yard	Preserve
T007	Boxwood	5	4	Good	Front Yard	Preserve
T008	Thuja	10	10	Good	Back Yard	Preserve
T009	Arbutus	18	15	Good	Front Yard	Preserve
T010	Witch Hazel	14	12	Good	Back Yard	Preserve
T011	Hamamelis	16	14	Good	Front Yard	Preserve
T012	Prunella	11	9	Good	Back Yard	Preserve
T013	Malus	9	7	Good	Front Yard	Preserve
T014	Malus	13	11	Good	Back Yard	Preserve
T015	Malus	17	15	Good	Front Yard	Preserve
T016	Malus	21	19	Good	Back Yard	Preserve
T017	Malus	25	23	Good	Front Yard	Preserve
T018	Malus	29	27	Good	Back Yard	Preserve
T019	Malus	33	31	Good	Front Yard	Preserve
T020	Malus	37	35	Good	Back Yard	Preserve
T021	Malus	41	39	Good	Front Yard	Preserve
T022	Malus	45	43	Good	Back Yard	Preserve
T023	Malus	49	47	Good	Front Yard	Preserve
T024	Malus	53	51	Good	Back Yard	Preserve
T025	Malus	57	55	Good	Front Yard	Preserve
T026	Malus	61	59	Good	Back Yard	Preserve
T027	Malus	65	63	Good	Front Yard	Preserve
T028	Malus	69	67	Good	Back Yard	Preserve
T029	Malus	73	71	Good	Front Yard	Preserve
T030	Malus	77	75	Good	Back Yard	Preserve
T031	Malus	81	79	Good	Front Yard	Preserve
T032	Malus	85	83	Good	Back Yard	Preserve
T033	Malus	89	87	Good	Front Yard	Preserve
T034	Malus	93	91	Good	Back Yard	Preserve
T035	Malus	97	95	Good	Front Yard	Preserve
T036	Malus	101	99	Good	Back Yard	Preserve
T037	Malus	105	103	Good	Front Yard	Preserve
T038	Malus	109	107	Good	Back Yard	Preserve
T039	Malus	113	111	Good	Front Yard	Preserve
T040	Malus	117	115	Good	Back Yard	Preserve
T041	Malus	121	119	Good	Front Yard	Preserve
T042	Malus	125	123	Good	Back Yard	Preserve
T043	Malus	129	127	Good	Front Yard	Preserve
T044	Malus	133	131	Good	Back Yard	Preserve
T045	Malus	137	135	Good	Front Yard	Preserve
T046	Malus	141	139	Good	Back Yard	Preserve
T047	Malus	145	143	Good	Front Yard	Preserve
T048	Malus	149	147	Good	Back Yard	Preserve
T049	Malus	153	151	Good	Front Yard	Preserve
T050	Malus	157	155	Good	Back Yard	Preserve
T051	Malus	161	159	Good	Front Yard	Preserve
T052	Malus	165	163	Good	Back Yard	Preserve
T053	Malus	169	167	Good	Front Yard	Preserve
T054	Malus	173	171	Good	Back Yard	Preserve
T055	Malus	177	175	Good	Front Yard	Preserve
T056	Malus	181	179	Good	Back Yard	Preserve
T057	Malus	185	183	Good	Front Yard	Preserve
T058	Malus	189	187	Good	Back Yard	Preserve
T059	Malus	193	191	Good	Front Yard	Preserve
T060	Malus	197	195	Good	Back Yard	Preserve
T061	Malus	201	199	Good	Front Yard	Preserve
T062	Malus	205	203	Good	Back Yard	Preserve
T063	Malus	209	207	Good	Front Yard	Preserve
T064	Malus	213	211	Good	Back Yard	Preserve
T065	Malus	217	215	Good	Front Yard	Preserve
T066	Malus	221	219	Good	Back Yard	Preserve
T067	Malus	225	223	Good	Front Yard	Preserve
T068	Malus	229	227	Good	Back Yard	Preserve
T069	Malus	233	231	Good	Front Yard	Preserve
T070	Malus	237	235	Good	Back Yard	Preserve
T071	Malus	241	239	Good	Front Yard	Preserve
T072	Malus	245	243	Good	Back Yard	Preserve
T073	Malus	249	247	Good	Front Yard	Preserve
T074	Malus	253	251	Good	Back Yard	Preserve
T075	Malus	257	255	Good	Front Yard	Preserve
T076	Malus	261	259	Good	Back Yard	Preserve
T077	Malus	265	263	Good	Front Yard	Preserve
T078	Malus	269	267	Good	Back Yard	Preserve
T079	Malus	273	271	Good	Front Yard	Preserve
T080	Malus	277	275	Good	Back Yard	Preserve
T081	Malus	281	279	Good	Front Yard	Preserve
T082	Malus	285	283	Good	Back Yard	Preserve
T083	Malus	289	287	Good	Front Yard	Preserve
T084	Malus	293	291	Good	Back Yard	Preserve
T085	Malus	297	295	Good	Front Yard	Preserve
T086	Malus	301	299	Good	Back Yard	Preserve
T087	Malus	305	303	Good	Front Yard	Preserve
T088	Malus	309	307	Good	Back Yard	Preserve
T089	Malus	313	311	Good	Front Yard	Preserve
T090	Malus	317	315	Good	Back Yard	Preserve
T091	Malus	321	319	Good	Front Yard	Preserve
T092	Malus	325	323	Good	Back Yard	Preserve
T093	Malus	329	327	Good	Front Yard	Preserve
T094	Malus	333	331	Good	Back Yard	Preserve
T095	Malus	337	335	Good	Front Yard	Preserve
T096	Malus	341	339	Good	Back Yard	Preserve
T097	Malus	345	343	Good	Front Yard	Preserve
T098	Malus	349	347	Good	Back Yard	Preserve
T099	Malus	353	351	Good	Front Yard	Preserve
T100	Malus	357	355	Good	Back Yard	Preserve

**Figure 1**  
**Example for Boulevard Trees**

Barrier Specifications Figure 1:  
 i) T-Bar Posts are to be used for support.  
 ii) 2x4's are to be used for top rail.  
 iii) Spacing between vertical posts to be no further apart than 2.4 m (8').  
 iv) Structure must be sturdy with posts driven firmly in to the ground.  
 v) Signage must be posted, sign must be a minimum of 40cm x 60cm and water proof.  
 vi) Where some concrete or fill has to be temporarily located near tree protection barrier, in addition to tree protection fencing, sediment fencing must be required. This will be determined in the Tree Protection Plan by a Qualified person.



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**2.4 Images from the Applicant's Urban Design Brief Report For Lands at: 349 Southdale Road East by Incon Developments Ltd. for a 20 Unit Vacant Land Condominium Project – December 2020 (prepared by MHBC Planning)**



Aerial view looking south towards site



Massing model view of proposed private road from Southdale Road East showing the proposed residences.

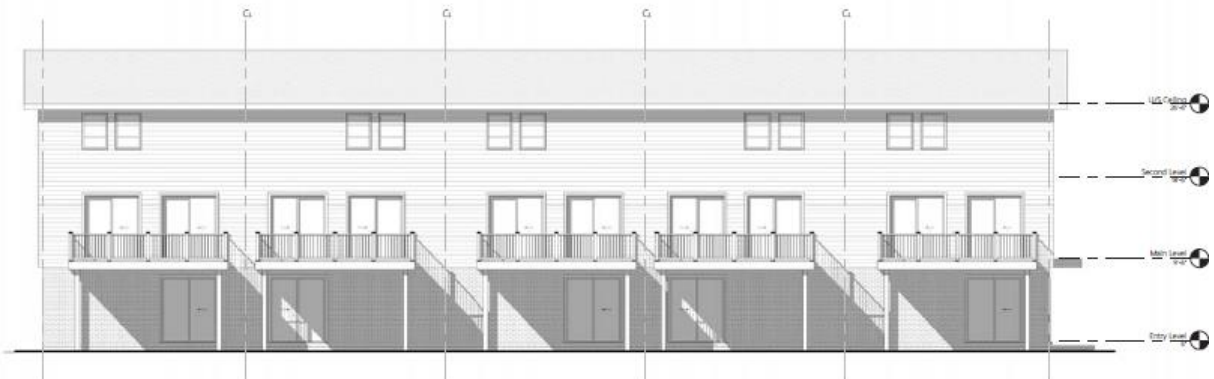


Massing model view of front elevation east corner.



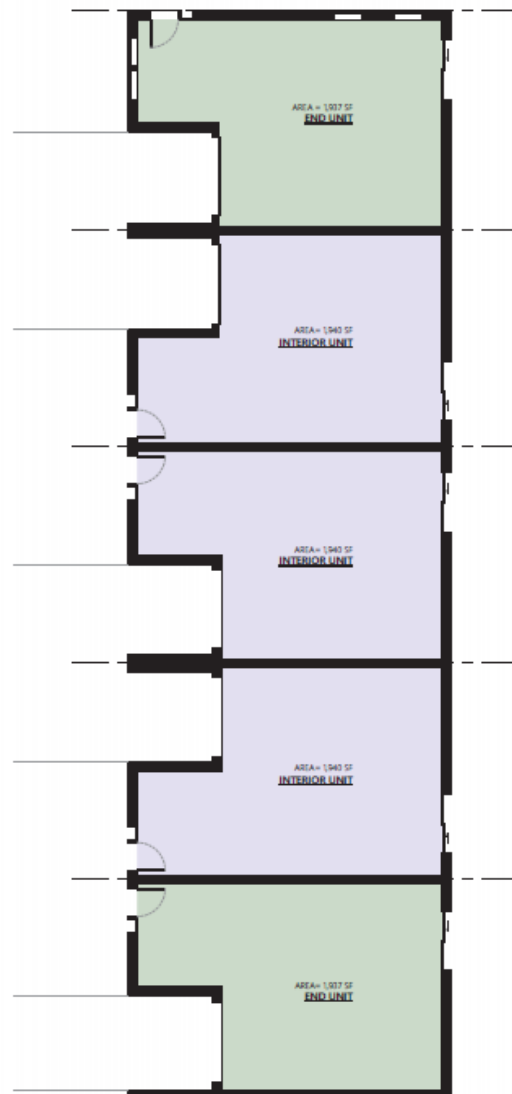
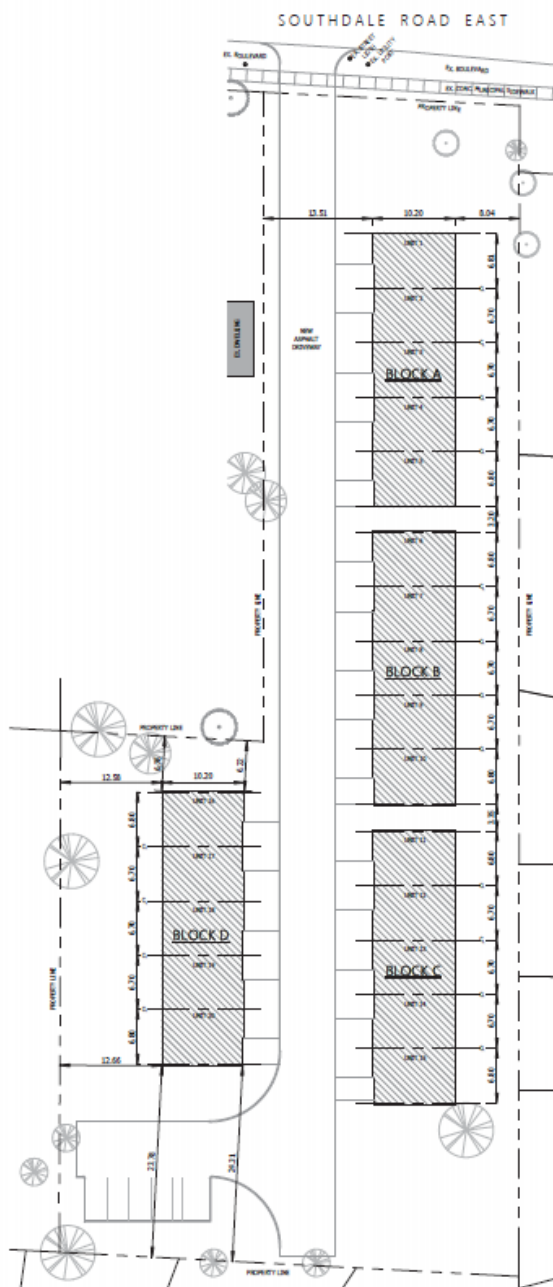


Block Front Elevation  
1/8" = 1'-0"



Block Rear Elevation  
1/8" = 1'-0"

Sample elevation showing architectural detail of the building façade block front and rear elevations.



Block Plan - Typical  
1/8" = 1'-0"

Site plan on left showing the proposed townhouse block plan on the right.

### **3.0 Financial Impact/Considerations**

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

#### **3.1 Requested Amendment**

An amendment to change the zoning on a portion of the property proposed to be developed from a Residential R3 (R3-3) Zone to a Residential R6 (R6-5) Zone to permit cluster housing in the form of townhouse dwelling units with a maximum density of 34 units per hectare.

#### **3.2 Community Engagement (see more detail in Appendix B)**

The requested amendment was circulated to the public on February 25, 2021 and advertised in the Londoner on February 26, 2021. At the time of preparation of this report two (2) responses were received from the public in response to the Notice of Application and The Londoner Notice.

There were no significant comments in response to the Departmental/Agency circulation of the Notice of Application.

#### **3.4 Policy Context Summary (A more detailed policy analysis is provided in Appendix C)**

##### **Provincial Policy Statement, 2020**

The proposal must be consistent with the Provincial Policy Statement (PPS) policies and objectives aimed at 1. Building Strong Healthy Communities, 2. Wise Use and Management of Resources, and 3. Protecting Public Health and Safety. As this development proposal represents a form of residential infill of vacant or underutilized lands, the PPS contains strong policies to direct growth to settlement areas, encourage a diversity of densities and land uses within settlement areas, and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock, and availability and suitability of infrastructure and public service facilities required to accommodate projected needs (Section 1.1.3).

##### **The London Plan**

The subject site is located within the Neighbourhoods Place Type in the London Plan. The London Plan, through the vision articulated in the Our City policies, places an emphasis on growing “inward and upward” to achieve a compact form of development, as well as encouraging and supporting growth within the existing built-up area of the city. The Neighbourhoods Place Type policies, with respect to Residential Intensification in Neighbourhoods, expands on that vision and specifically states that:

*937\_ Residential intensification is fundamentally important to achieve the vision and key directions of The London Plan. Intensification within existing neighbourhoods will be encouraged to help realize our vision for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods. However, such intensification must be undertaken well in order to add value to neighbourhoods rather than undermine their character, quality, and sustainability.*

The City Structure Plan also recognizes that residential intensification will play a large role in achieving our goals for growing “inward and upward”, and supports various forms of intensification, including infill development of vacant and underutilized lots, subject to the policies of the Plan. This includes consideration of the policies of the Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools sections. The London Plan policies are intended to support infill and intensification, while ensuring that proposals are appropriate and a good fit within their receiving neighbourhoods.

##### **1989 Official Plan**

These lands are designated “Low Density Residential and Multi-Family Medium Density Residential” on Schedule ‘A’ of the 1989 Official Plan. The Low Density Residential land use designation permits single detached; semi-detached; and duplex dwellings. Multiple-

attached dwellings, such as row houses or cluster houses may also be permitted subject to the policies, as the primary permitted uses up to a maximum density of 30 units per hectare. These requirements may vary in areas of new development according to the characteristics of existing or proposed residential uses and infill development may exceed 30 units per hectare.

The Multi-Family, Medium Density Residential designation permits multiple-unit residential developments having a low-rise profile, and densities that exceed those found in Low Density Residential areas but do not approach the densities intended for the Multi-Family, High Density Residential designation. Residential uses that typically comprise medium density development include row houses, cluster houses, low-rise apartment buildings, and certain specialized residential facilities such as small-scale nursing homes, homes for the aged and rest homes. The Multi-Family, Medium Density Residential designation may serve as a suitable transition between Low Density Residential areas and more intense forms of land use. It will also provide for greater variety and choice in housing at locations that have desirable attributes but may not be appropriate for higher density, high-rise forms of housing. Medium density development will not exceed an approximate net density of 75 units per hectare

Where an area proposed for development comprises more than one residential designation, each part shall be subject to the density provision applicable to its designation.

The proposal to develop this parcel with twenty (20) Vacant Land Condominium units to be developed in the form of cluster townhouse dwellings is permitted and will result in an overall density of 34 units per hectare which is within the density limits prescribed in the Low-Density Residential and Multi-Family Medium Density Residential policies.

The proposal also represents a form of residential infill of a vacant or underutilized site within an established neighbourhood which may be permitted in the Low-Density Residential and Multi-Family Medium Density Residential designations through an amendment to the Zoning By-law, subject to the Residential Intensification policies of the Official Plan. These policies require that a Statement of Neighbourhood Character and Compatibility be submitted by the proponent in accordance with Section 3.2.3 Residential Intensification and Section 3.7.3 Planning Impact Analysis.

The development will intensify an underutilized residential property within an established, mixed-use neighbourhood. The proposed townhouses will be integrated into the community in a manner that: is compatible with the existing development character of the neighbourhood and provides amenities for future residents; and supports existing transit service. These lands have convenient access to transit services, service/retail commercial uses, employment areas and community facilities.

An Urban Design Brief was prepared and submitted by MHBC Planning, including concept site plan, building floor plans and elevations, colour renderings, and model showing the proposed development within the context of the neighbourhood. A Tree Assessment Report also accompanied the formal application submission. The Official Plan policies have been reviewed and consideration given to how the proposal contributes to achieving those policy objectives.

### **Southwest Area Secondary Plan**

The Southwest Area Secondary Plan designates the site as Medium Density Residential within the Central Longwoods Residential Neighbourhood.

As further described in Appendix B – Policy Context, Staff are of the opinion that the condominium draft plan is generally consistent with the PPS, The London Plan, 1989 Official Plan, and the Southwest Area Secondary Plan

### **North Longwoods Area Plan**

The lands are within the North Longwoods Area Plan (NLAP) which designated the majority of the lands Low Density Residential and Medium Density Residential, with the northern extent of the lands where Petty Road will connect to Southdale Road designated for commercial uses. The NLAP envisioned that a mix of housing types and densities would meet community demand and needs in housing type, tenure and affordability. The NLAP reinforced the City's Official Plan policies and direction that promoted compact

urban form and increased densities to maximize the use of land and investment in infrastructure and services.

### **Z.-1 Zoning By-law**

The zoning of this property is Residential R3 (R3-3) Zone which permits various forms of housing including single detached, semi-detached, duplex, triplex, converted dwellings and fourplex dwellings. The applicant is proposing a Residential R6 (R6-5) Zone to permit cluster housing in the form of townhouse dwelling units with a maximum density of 34 units per hectare. The proposed form of cluster townhouse dwellings is consistent with existing uses and densities in the area and will not impact abutting uses.

### **Vacant Land Condominium Application**

The City of London Condominium Guidelines have been considered for the proposed Vacant Land Condominium which is comprised of various units and common elements. The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the *Planning Act*. In order to ensure that this Vacant Land Condominium development functions properly, the following may be required as conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common elements and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Confirmation of addressing information and door point numbers;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- The maintenance of any stormwater servicing works including on-site works;
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities; and,
- Ensuring that the Condominium Declaration to be registered on title adequately addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other structures in the common elements.

More information and detail is available in Appendix B,C and B of this report.

## **4.0 Key Issues and Considerations**

### **4.1 Issue and Consideration # 1 – The site is too small and this proposal does not fit within the context of the established neighbourhood.**

The Urban Design Brief describes the site layout and design in the context of the surrounding neighbourhood, including building orientation, setbacks, transition of building height, and architectural treatment. Massing models are provided in order to demonstrate how the proposal fits with the surrounding neighbourhood. The use, form and intensity of the proposed development is considered compatible and appropriate for the site in order to accommodate the buildings, driveways, parking, fencing, landscaping, outdoor amenity area, and buffering.

The Our Strategy, City Building and Design, Neighbourhood Place Type, and Our Tools policies in The London Plan, as well as the residential infill and intensification policies of the current Official Plan, have been reviewed and consideration given to how the proposal contributes to achieving those policy objectives. This proposal represents a good fit within the neighbourhood in terms of the type and form of housing, tenure (owner-occupied), similar lot/unit frontages, and spatial separation between buildings. It is recognized that there are differences from existing development, such as the proposed 3-storey townhouse units, shallower rear yards, narrower street (a private road), and while there are some 3-storey townhouse dwellings to the west, 2-storey dwellings are more predominant in the neighbourhood. At the same time, the proposal represents a cluster of new built homes that contributes to diversity and the rich mix of housing in the neighbourhood.

#### **4.2 Issue and Consideration # 2 – It will add to already heavy traffic volumes at peak times on Southdale Road East.**

Low volumes of traffic are expected to be generated from this 20-unit infill development. Southdale Road East is classified as an Arterial road in the Official Plan (Civic Boulevard in The London Plan) carrying on average 24,000 vehicle trips a day. The City's Transportation Planning and Design Division have reviewed the proposed site concept plans and did not report any concerns. The access location and design will be reviewed again in more detail at the Site Plan Approval stage.

#### **4.3 Issue and Consideration # 3 – It will impact resident's privacy, quiet enjoyment of their property, and property values.**

Building front entrances, driveways, and garages are oriented internally to the site so that impact on privacy of adjacent properties is minimized. Perimeter fencing (1.8 metre high board-on-board fence) and landscape planting buffers will also be incorporated into the approved site plan and landscape plans to provide screening and privacy of adjacent rear yard amenity areas. The proposed 3-storey dwellings with pitched roof design are not expected to cast shadowing on adjacent properties or result in any significant loss of sunlight. The proposed residential infill development is not expected to adversely affect the residential stability of this area.

#### **4.4 Issue and Consideration # 4 – Access from Southdale Road East**

The access from Southdale Road East is a 6.7-metre-wide private driveway. Design standards for vehicular access to and from private site developments (including fire routes, parking, etc.) are specified in the City's Site Plan Design Manual. The proposed driveway width meets the City's site design standards. Typically, the maximum dead-end distance without an approved turnaround facility is 90 metres. The proposed driveway is approximately 130 metres in from the public street terminating at a "T" junction.

#### **4.5 Issue and Consideration # 5 – Previous attempts have been made to have permission to build on this property.**

As noted in the planning history section above, previous applications were brought forward for the development of these lands and the surrounding lands. Many things have progressed since that time, including provincial and municipal planning policies recognizing the importance of residential intensification. The Condominium Act was amended to introduce Vacant Land Condominiums, and zoning by-laws have changed. Similar small-scale infill housing projects have been developed in neighbourhoods in other parts of the City.

## **Conclusion**

The recommended amendment to the Zoning By-law and application for Approval of Vacant Land Condominium are considered appropriate, are consistent with the Provincial Policy Statement, conform to The London Plan and the 1989 Official Plan. The proposal will permit a small residential infill development that is appropriate for the subject lands, and compatible with the surrounding land use pattern.

**Prepared by:** Sean Meksula, MCIP, RPP  
Senior Planner, Planning and Development

**Recommended by:** Paul Yeoman, RPP, PLE  
Director, Development Services

**Submitted by:** George Kotsifas, P. Eng.  
Deputy City Manager, Planning and Economic Development

cc: Matt Feldberg, Manager, Planning and Development (Subdivisions & Condominiums)

cc: Heather McNeely, Manager, Planning and Development (Current Development)

cc: Bruce Page, Manager, Planning and Development (Subdivision Planning)

cc: Michael Pease, Manager, Planning and Development (Site Plans)

cc: Peter Kavcic, Manager, Planning and Development (Subdivision Engineering)

Y:\Shared\DEVELOPMENT SERVICES\3 - Condominiums\2021\39CD-21501 - 349 Southdale Road East (SM)\Draft Approval\39CD-21501 Southdale Rd E- Zoning By-law Amendment.docx

## Appendix A

Bill No. (number to be inserted by  
Clerk's Office)  
(2021)

By-law No. Z.-1-21\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 349  
Southdale Road East.

WHEREAS Incon Developments Ltd. has applied to rezone an area of land located at 349 Southdale Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 349 Southdale Road East, as shown on the attached map, comprising part of Key Map No. 111, from a Residential R3 (R3-3) Zone to a Residential R6 (R6-5) Zone.
- 2) This by-law shall come into force and effect on the day it is passed.

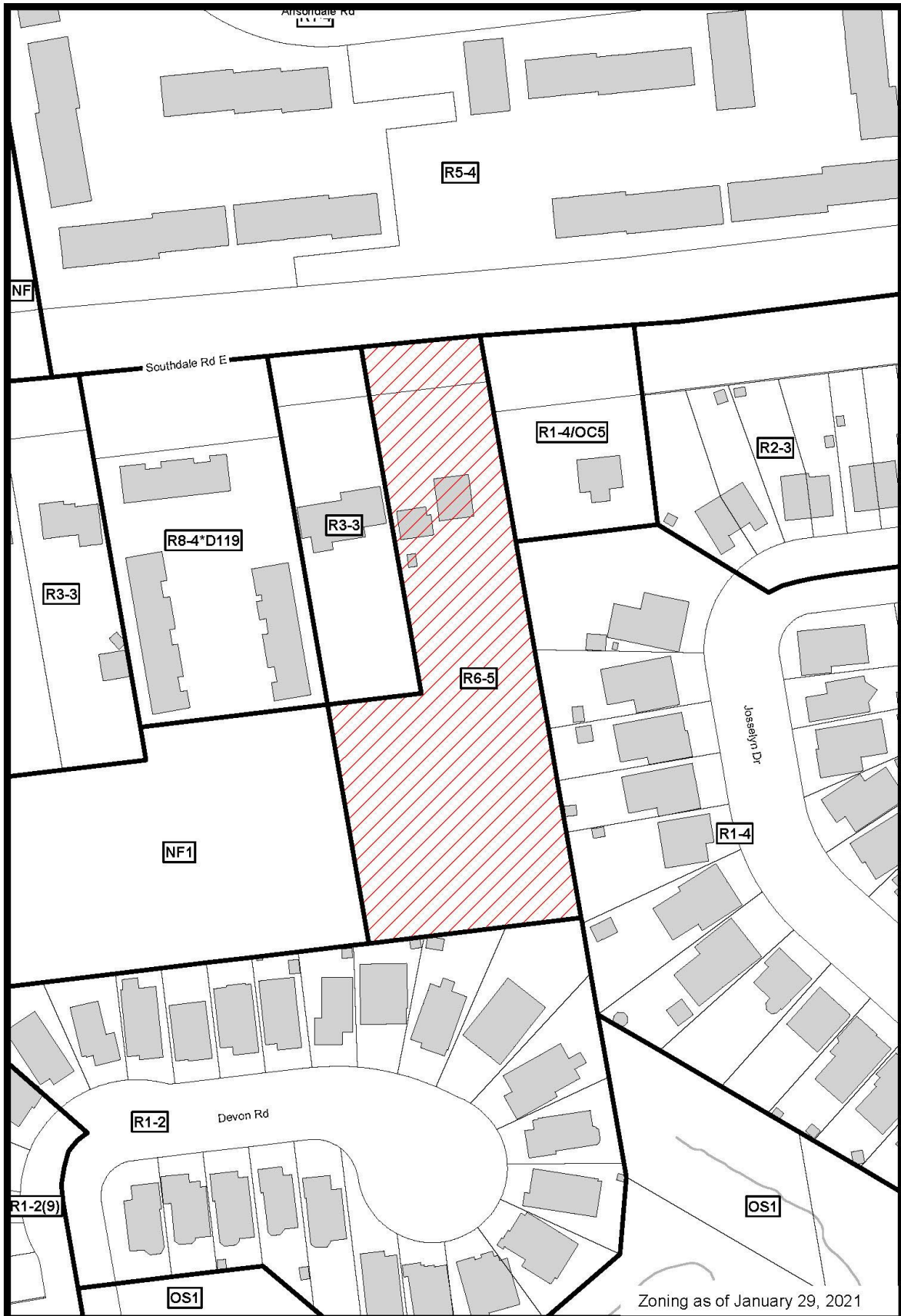
PASSED in Open Council on June 15, 2021.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – June 15, 2021  
Second Reading – June 15, 2021  
Third Reading – June 15, 2021

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9308

Planner: SM


Date Prepared: 2021/02/03

Technician: rc

By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40  
 Meters



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On February 24, 2021, Notice of Application was sent to 159 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 25, 2021. A “Planning Application” sign was also posted on the site.

**Responses:** No responses were received

**Nature of Liaison:** The purpose and effect of this application is to approve a Draft Plan of Vacant Land Condominium consisting of 20 residential units with a private access driveway, private internal services and a common element to be registered as one Condominium Corporation. Consideration of a possible amendment to the Zoning By-law to change the zoning from a Residential R3 (R3-3) Zone to a Residential R6 (R6-5) Zone to permit single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings, and fourplex dwellings.

### Responses to Notice of Application and Publication in “The Londoner”

No responses were received.

### Agency/Departmental Comments:

#### Stormwater Engineering Division (SWED)

1. There are no available storm sewers to service this site and as such an alternative storm drainage/SWM strategy is required. The applicant shall investigate the use of low impact development solutions to deal with the 2 -100 year storm event and shall comply with the approved City Standard Design Requirements for Permanent Private Stormwater System (PPS). Please include in the required storm drainage/SWM servicing report a statement that addresses the implementation of LIDs for this plan.
2. The applicant shall also provide the following as part of the complete submission package in support of the proposed storm drainage and SWM design:
  - a. Hydrogeological investigation and analysis as described in the current City of London Design Standards ([Section 6 – Stormwater Management](#)) including identifying all necessary component to support proposed LID solutions, and completion of complete water balance analysis for the Site.
  - b. Geotechnical investigation including detailed soil characteristics and appropriate geotechnical recommendations.
3. The SWM design shall include onsite storage up to the 100 year storm event and a statement shall be provided in the report to identify the safe conveyance of the 250 year storm event across and from this site. The SWM design shall also identify any existing grade differential between the back of the site and Southdale Road East and provide functional grading design to eliminate any potential adverse impact to neighboring properties to the south east and west.
4. Further to item #3, the report shall include a statement that the proposed storm drainage and SWM system will be in compliance with Tributary ‘F’ in the 2005 Dingman Creek Subwatershed Study Update and current City of London Design Standards.
5. The IPR mentions the use of increased topsoil thickness as an LID measure. A draft amended soil specification has been developed for inclusion in the City’s design standards. Please contact the SWED division for more information.



## Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this proposal. The most relevant policies, by-laws, and legislation are identified as follows:

### The London Plan

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the subject lands are within the “Neighbourhoods” Place Type permitting a range of uses such as single detached, semi-detached, duplex, triplex, and townhouse dwellings, and small-scale community facilities. The proposed infill development in the form of cluster townhouse dwellings falls within this Place Type. Southdale Road East is identified on Map 3 – Street Classifications as a Civic Boulevard.

The Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed Draft Plan of Vacant Land Condominium and Zoning By-law Amendment contributes to achieving those policy objectives, including the following specific policies:

### **Our Strategy**

#### *Key Direction #5 - Build a Mixed-Use Compact City*

- 5. Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.*

#### *Key Direction #8 Making Wise Planning Decisions*

- 9. Ensure new development is a good fit within the context of an existing neighbourhood.*

This proposal represents a small-scale infill development which contributes to broader strategic objectives of building a mixed-use compact City of London. The proposed development is not identical; however, it is compatible with the scale and the form of housing in the surrounding area, and a good fit within the context of the existing neighbourhood.

### **City Building and Design Policies**

*199\_ All planning and development proposals within existing and new neighbourhoods will be required to articulate the neighbourhood’s character and demonstrate how the proposal has been designed to fit within that context. The Our Tools chapter and the Residential Intensification policies in the Neighbourhoods Place Type chapter of this Plan provide further guidance for such proposals.*

Based on our review of the applicant’s Neighbourhood Character Statement and Compatibility Report, and supporting documents, this proposal represents a small-scale infill development which satisfies the City Building and Design, Our Tools and Residential Intensification policies of the London Plan.

### **Neighbourhood Place Type**

#### *Vision for the Neighbourhoods Place Type*

*916\_ In 2035 our neighbourhoods will be vibrant, exciting places to live, that help us to connect with one another and give us a sense of community well-being and quality of life. Some of the key elements of our vision for neighbourhoods include:*

- 1. A strong neighbourhood character, sense of place and identity.*
- 2. Attractive streetscapes, buildings, and public spaces.*
- 3. A diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so.*
- 4. Well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown.*

5. Lots of safe, comfortable, convenient, and attractive alternatives for mobility.
6. Easy access to daily goods and services within walking distance.
7. Employment opportunities close to where we live.
8. Parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.

This proposal is generally in keeping with the Neighbourhood Place Type vision and its key elements, including a strong neighbourhood character and sense of identity, diversity of housing choices and affordability, safe and convenient alternatives for mobility, and close proximity to employment and recreational opportunities.

*948\_ The creation of rear-lot development (flag-shaped lots) will be discouraged in the Neighbourhoods Place Type unless the intensification policies in this Plan are met and the following urban design considerations are addressed:*

1. *Access to the new property will be wide enough to provide:*
  - a. *Separate pedestrian/vehicular access.*
  - b. *Sufficient space beside the driveways for landscaping and fencing to buffer the adjacent properties.*
  - c. *Adequate space at the street curb for garbage and blue box pickup.*
  - d. *Snow storage for the clearing of these driveways.*
2. *In laying out a rear-lot development project, care should be taken to avoid creating front to back relationships between existing and proposed dwelling units. To support a reasonable level of privacy and compatibility, the front doors of the new units should avoid facing onto the rear yards of existing homes.*
3. *Where existing dwellings fronting onto the street are not incorporated into the infill project, adequate land should be retained in the rear yard of these dwellings to provide:*
  - a. *Appropriate outdoor amenity space.*
  - b. *Adequate separation distance between the existing dwellings and the habitable areas of the infill project.*
  - c. *Sufficient space for landscaping in the rear yards for visual separation if required.*
  - d. *Parking and vehicular access for the existing dwellings, so as not to introduce parking into the front yards of the existing dwellings.*

The rear-lot development policies are essentially the same in the current Official Plan, and are covered off in the next section of this report.

*953-2. Compatibility and fit, from a form perspective, will be evaluated based on such matters as:*

- a. *Site layout within the context of the surrounding neighbourhood, considering such things as access points, driveways, landscaping, amenity areas, building location, and parking.*
- b. *Building and main entrance orientation.*
- c. *Building line and setback from the street.*
- d. *Character and features of the neighbourhood.*
- e. *Height transitions with adjacent development.*
- f. *Massing appropriate to the scale of the surrounding neighbourhood.*

*953-3 The intensity of the proposed development will be appropriate for the size of the lot such that it can accommodate such things as driveways, adequate parking in appropriate locations, landscaped open space, outdoor residential amenity area, adequate buffering and setbacks, and garbage storage areas.*

The applicant has provided a Urban Design Brief which describes the site layout and design in the context of the surrounding neighbourhood, including building orientation, setbacks from the street, and transition of building height. Massing models were provided to demonstrate how the proposal fits with the scale of the surrounding neighbourhood. The intensity of the proposed development is considered appropriate for the site in order

to accommodate driveways, adequate parking, landscaped open space, outdoor amenity areas, buffering and setbacks.

## **Our Tools**

### *Evaluation Criteria for Planning and Development Applications*

*1578\_6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated. Depending upon the type of application under review, and its context, an analysis of potential impacts on nearby properties may include such things as:*

- a. Traffic and access management.*
  - b. Noise.*
  - c. Parking on streets or adjacent properties.*
  - d. Emissions generated by the use such as odour, dust, or other airborne emissions.*
  - e. Lighting.*
  - f. Garbage generated by the use.*
  - g. Loss of privacy.*
  - h. Shadowing.*
  - i. Visual impact.*
  - j. Loss of views.*
  - k. Loss of trees and canopy cover.*
  - l. Impact on cultural heritage resources.*
  - m. Impact on natural heritage features and areas.*
  - n. Impact on natural resources.*
- The above list is not exhaustive.*

- Southdale Road East is classified as a Civic Boulevard carrying on average 24,000 vehicle trips per day. The proposed development is not expected to contribute significantly to traffic volumes, and the site plan approval process will ensure safe vehicular access is achieved.
- All required parking will be provided on-site.
- The proposed development is not expected to generate excessive noise and emissions.
- On-site exterior lighting can be managed and mitigated so as not to overcast on adjacent properties.
- Individual units will have single garages which should be large enough for storage of domestic garbage.
- Perimeter fencing and landscape planting buffers will be incorporated for screening and privacy.
- The proposed 3-storey dwellings with pitched roof design is expected to result in minimal loss of sunlight or shadowing on adjacent properties.
- Architectural treatment (covered in the next section of this report) is of a more contemporary style than existing homes in the neighbourhood, but is not expected to be visually impacting.
- The topography is relatively flat so there will be no loss of natural view corridors or vistas.
- A Tree Preservation Assessment report was prepared by Natural Resource Solutions Inc. and submitted with the application. Although the site is devoid of any significant trees, the perimeter has some mature boundary trees that are to be retained as much as possible.
- There are no natural heritage features, and no concerns for cultural heritage or natural resources.

*1578\_7. The degree to which the proposal fits within its context. It must be clear that this not intended to mean that a proposed use must be the same as development in the surrounding context. Rather, it will need to be shown that the proposal is sensitive to, and compatible with, its context. It should be recognized that the context consists of existing development as well as the planning policy goals for the site and surrounding area. Depending upon the type of application under review, and its context, an analysis of fit may include such things as:*

- a. Policy goals and objectives for the place type.*
- b. Policy goals and objectives expressed in the City Design chapter of this Plan.*

- c. *Neighbourhood character.*
- d. *Streetscape character.*
- e. *Street wall.*
- f. *Height.*
- g. *Density.*
- h. *Massing.*
- i. *Placement of building.*
- j. *Setback and step-back.*
- k. *Proposed architectural attributes such as windows, doors, and rooflines.*
- l. *Relationship to cultural heritage resources on the site and adjacent to it.*
- m. *Landscaping and trees.*
- n. *Coordination of access points and connections.*

The next section of this report draws from the applicant's Urban Design Brief and discusses the various components listed above, including neighbourhood and streetscape character, massing, building placement, setbacks, and architectural attributes. Based on our review of The London Plan policies, Staff would agree that this proposal represents a good fit within the neighbourhood because of the type and form of housing, tenure (owner-occupied), similar lot/unit frontages, and spatial separation between buildings. 3-storey townhouse units, shallower rear yards, narrower street (a private road), and while there are some 3-storey townhouse dwellings to the west, 2-storey dwellings are more predominant in the neighbourhood.

At the same time, this infill development represents a cluster of new built homes that contributes to diversity and the rich mix of housing in the neighbourhood.

### **Official Plan**

These lands are designated "Low Density Residential and Multi-Family Medium Density Residential" on Schedule 'A' of the City's Official Plan. This land use designation permits single detached, semi-detached, and duplex dwellings as the primary permitted uses up to a maximum density of 30 units per hectare. The proposal to develop this parcel with 20 cluster townhouse units is permitted and will result in an overall density of 34 units per hectare which is within the density limits prescribed in the Low Density Residential and Multi-Family Medium Density Residential policies.

The proposal also represents a form of residential infill of a vacant or underutilized site within an established neighbourhood which may be permitted in the Low Density Residential designation through an amendment to the Zoning By-law, subject to the Residential Intensification policies of the Official Plan. These policies require that a Statement of Urban Design Brief be submitted by the proponent in accordance with Section 3.2.3 Residential Intensification and Section 3.7.3 Planning Impact Analysis.

An Urban Design Brief was prepared and submitted by Icon Developments Ltd. including concept site plan, building floor plans and elevations, colour renderings, and 3D massing model showing the proposed development within the context of the neighbourhood. A Tree Assessment Report and Servicing Brief also accompanied the formal application submission. The Official Plan policies have been reviewed and consideration given to how the proposal contributes to achieving those policy objectives, including the following specific policies:

#### **3.7.3 (a) Neighbourhood Character Statement**

##### *Character & Image*

- i) *description of the existing street character;*

The street character along Southdale Road East is generally described as a grid pattern that also incorporates a number of crescents and cul-de-sacs (Deveron Road, Josselyn Drive and Christine Crescent). The subject lands are located within an established, mixed-use neighbourhood that includes:

townhouses and single detached units north of the Site; single detached dwellings, mid-rise apartments and a shopping centre east of the Site; single detached units and light industrial uses south of the Site; and single detached units, townhouses, and a commercial node west of the Site. Adjacent to the Site, Southdale Road East incorporates four traffic lanes and a single left-turn lane.

*ii) description of the project in the context of the neighbourhood;*

The applicant's proposal is a twenty (20) unit cluster of three-storey, cluster townhouse condominium dwellings (vacant land condominium) located on the property. Access would be provided by a 6.7 metre wide access driveway providing ingress and egress from Southdale Road East approximately 130 metres in length. Surrounding the project would be a single detached homes which front onto Southdale Deveron Road and Josselyn Drive. Six residences on Josselyn Drive would have their rear yards backing on rear yards of the proposed dwelling units. Three residences would have their back yards backing onto landscaped area and visitor parking spaces. No front or rear yards would face into the front yards of adjacent dwelling lots. The existing home and garage will be demolished for the proposed Vacant Land Condominium.

*iii) visual components;*

Topographically the site is very flat with no natural view corridors or vistas.

*iv) retention and role of natural environment.*

There are no natural heritage features present. A Tree Preservation Report was prepared by Natural Resource Solutions Inc. and submitted with the application. Although the site is devoid of any significant trees, the perimeter has some mature boundary trees that are to be retained as much as possible. All recommendations within the plan are to be implemented as part of the site plan and the condominium plan.

### *Site Design*

*i) the location of buildings, as well as their orientation to the street edge and sidewalks;*

The bulk of the building stock is made up of single detached dwellings throughout the neighbourhood. Most buildings are typically setback from the front lot line (and the boulevard containing street edge and public sidewalks) on average 6.0 to 8.0 metres. Side yards are in the average range of 1.2 to 3.0 metres, providing building separation on average of approximately 2.4 to 5.0 metres.

*ii) the location of building entrances;*

All buildings have front entrances with some having front porches and steps to the sidewalk or driveway, all oriented to the public streets.

*iii) how the design relates to its site and greater surrounding area;*

The proposed development represents a small cluster of cluster townhouses fronting a common private driveway. Each dwelling would have front door entrances and building face width similar to the adjacent cluster townhomes to the east and single-family homes in the surrounding area, as well as single-driveways and attached single-car garages for parking, and for domestic storage that would otherwise be located outside.

*iv) views in to and out of the site – how does the building function as a view terminus – provide pedestrian perspectives (at-grade views) and important views;*

Views into the site from Southdale Road East would be along the common driveway terminating at the front entrances of first of the five cluster townhouse buildings. Views out of the site to the east and west along the common driveway would be shielded by fencing and landscaping to protect the privacy of neighbouring property owners.

v) *vehicular and pedestrian circulation*

*Vehicular and pedestrian movement on a 6.7 metre wide paved common driveway connection to Southdale Road East.*

### **Servicing**

i) *accessibility and connectivity of the site to the adjacent neighbourhood, community facilities and destinations, including consideration of the circulation for automobile, pedestrians, cyclists and persons with disabilities;*

The site will have full accessibility and connectivity to neighbourhood facilities, including schools, neighbourhood parks, and multi-purpose pathways all within close proximity for walking, biking or driving via Southdale Road East, White Oak Road, and the local street network.

ii) *access to transit;*

There is access to London Transit bus routes on both Southdale Road East and White Oak Road.

iii) *shared service locations, parking, ramps, drop-offs, service areas for garbage, loading, utilities, etc.*

Only the common access driveway, utilities and services are shared within the condominium common element.

### **3.7.3 (b) Compatibility Report**

#### **Built Form Elements:**

- i) *how the building(s) addresses the street;*
- ii) *street wall and treatment of grade level;*
- iii) *roof top and cornice lines;*
- iv) *location of entrances and other openings;*
- v) *relationship of the building(s) to the street at intersections;*
- vi) *design for comfort and safety (i.e. privacy, lighting, sun and wind protection, etc.)*

The applicant's concept plans and renderings illustrate how buildings will address the private driveway similar to the building relationship to streets in the surrounding neighbourhood. At relatively level grades, the front of each building will be setback at 4.5 metres on an 6.7 and 6.8 metre wide lots, providing for a single-car driveway, lawn area, and front doors with covered front porches. Pitched roofs with dormers are proposed which are a common roof style for the area. The east-west orientation of buildings would enable front and rear yard exposure to sunlight.

#### **Massing and Articulation:**

- i) *the rhythm of at-grade openings;*
- ii) *setbacks;*
- iii) *transition to adjacent uses/buildings, and among buildings within the site;*
- iv) *transition of scale;*
- v) *street proportion / street sections (building to street ratio);*
- vi) *shadowing caused by mid-rise and tall buildings should be minimized and impacts on adjacent private amenity areas (natural light and privacy for*

*example) should be minimized.*

The applicant's Urban Design Brief indicates that the massing, orientation and articulation incorporated into the proposal is contemporary in character and designed to foster a human scale. The design is also intended to contribute positively to the Southdale Road East streetscape and to be compatible with, and sensitive to, the existing development context within the immediately surrounding area.

Building height and massing is designed to be compatible with surrounding development including medium density residential areas to the west and north, and low density residential forms to the east and south. The proposed building massing which has been broken up by a series of projections and recessions, varied rooflines as well as horizontal and vertical elements. Additionally, a significant level of visual articulation is achieved through the use of variations in materials, distinctive wall and roofline elements, and fenestrations. Further, enhanced design elements would be provided along the end wall facing Southdale Road East to enhance the streetscape at this location..

With respect to building scale and height, staff would agree with the compatibility report that transition with adjacent uses works fairly well for several reasons:

- the 3-storey buildings are adjacent very deep rear yards to the east and south, and the site is similar in elevation to the rear yards to the east and west;
- it includes minimum 8.2 metres rear yards on the east side, 13 metre rear yards on the west side, and around 25-30 metre landscaped area on south edges of the development, to adjacent neighbouring properties;
- it is inward looking upon itself such that overlooking is avoided (certainly for living areas, not for all upper bedroom windows necessarily);
- it would have building footprints that are not markedly different from that of the cluster townhouses to the west in the neighbourhood;
- it would not cast any significant shadows being only 3 storey buildings.

*Architectural Treatment:*

- i) style;*
- ii) details;*
- iii) materials;*
- iv) colours.*

The design incorporates contemporary building façades to provide visual interest at a pedestrian level through the use of quality materials. A variety of colour schemes would also be utilized to enhance the architectural treatment.

**Section 3.2.3.5 Public Site Plan Review and Urban Design**

*(a) Sensitivity to existing private amenity spaces as they relate to the location of proposed building entrances, garbage receptacles, parking areas and other features that may impact the use and privacy of such spaces;*

The site concept plans indicates sensitivity to existing private amenity space. Building front entrances, driveways, and garages sized to accommodate indoor storage of garbage receptacles are all oriented internally to the site so that impact on adjacent properties is minimized.

*(b) The use of fencing, landscaping and planting buffers to mitigate impacts of the proposed development on existing properties; and,*

Perimeter fencing and landscape planting buffers will be incorporated into the approved site plan and landscape plan.

*(c) Consideration of the following Urban Design Principles:*

*(i). Residential Intensification projects shall use innovative and creative standards of design for buildings to be constructed or redeveloped;*

There is expected to be a reasonable level of innovation and creative design as discussed in the compatibility assessment above. The architectural treatment of the buildings is intended to promote an attractive, modern design that complements the local development context. The Site Plan process will ensure that appropriate levels of design and innovation are included as part of this development project.

*(ii). The form and design of residential intensification projects should complement and/or enhance any significant natural features that forms part of the site or are located adjacent to the site;*

The site consists of maintained lawn and several mature trees around the property boundary. There are no significant natural heritage features.

*(iii). New development should provide for a diversity of styles, continuity and harmony in architectural style with adjacent uses;*

The applicant's site concept plans, building elevations and renderings demonstrate appropriate levels of diversity, continuity, and harmony of architectural style.

*(iv). New development should include active frontages to the street that provide for the enhancement of the pedestrian environment;*

The development proposal emphasizes active residential frontages to a common private driveway which will provide vehicular and pedestrian connection to the public street and sidewalk. Landscaping elements are planned for prominent locations throughout the Site, particularly along the Southdale Road East frontage to enhance this section of streetscape.

*(v). The design and positioning of new buildings should have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets;*

The proposed 3-storey dwellings with pitched roof design are expected to result in minimal loss of sunlight on adjacent properties and streets.

*(vi). Buildings should be positioned to define usable and secure open space areas on the site and to afford a reasonable measure of privacy to individual dwelling units;*

Building positioning has been laid to provide for a common open space area, as well as individual private outdoor amenity areas and a large common landscaped area at the south end of the property.

*(vii). Parking and driveways should be located and designed to facilitate maneuverability on site and between adjacent sites, and to reduce traffic flow disruption to and from the property; and,*

Vehicle maneuverability and traffic volumes from this small twenty unit infill development are not expected to create traffic flow disruption either internally or externally.

*(viii). Projects should have regard for the neighbourhood organizing structure. Building and site designs should facilitate easy connections to and around the site to public transit and destinations.*

The site layout includes an internal circulation system to support vehicular and pedestrian accessibility with access to Southdale Road East. The site facilitates easy access and connectivity to the greater neighbourhood, and to public transit on Southdale Road East and White Oak Road.

### **3.2.3.7 Supporting Infrastructure**



- i) Off-street parking supply and buffering;*
- ii) Community facilities, with an emphasis on outdoor recreational space;*
- iii) Traffic impacts and Transportation infrastructure, including transit service;*
- iv) Municipal services.*

The site concept plan demonstrates that the minimum off-street parking requirements as set out in the zoning by-law can be met. Public outdoor recreational space is located within a 400-metre and 85- meter radius of the site (Earl Nichols Park and Arena and Paul Haggis Park - open space and multi-use trail corridor), and just to the east on Bradley Avenue is the South London Community Centre and swimming pool. As noted above, low volumes of traffic are expected to be generated from this small infill development. Southdale Road East is classified as a Arterial Road (Civic Boulevard in The London Plan) carrying on average 24,000 vehicle trips a day. Municipal water, sanitary and storm sewers are available at the front of the property on Southdale Road East.

### **Vacant Land Condominium Application**

The same considerations and requirements for the evaluation of Draft Plans of Subdivision also apply to Draft Plans of Vacant Land Condominiums, such as:

- This proposal is consistent with the objectives and policies of The London Plan and the Official Plan.
- Sewer and water services will be provided in accordance with an approved Site Plan and Development Agreement in order to service this site.
- The proposed development is in close proximity to employment areas, community facilities, neighbourhood parks, and open space.
- The Draft Plan of Vacant Land Condominium illustrates how these lands are to develop for cluster single detached housing. Building elevation plans will be reviewed as part of site plan submission. The size and style of dwellings are anticipated to meet the community demand for housing type, tenure and affordability.
- The applicant must ensure that the proposed grading and drainage of this development does not adversely impact adjacent properties. All grading and drainage issues will be addressed by the applicant's consulting engineer to the satisfaction of the City through the accepted engineering and servicing drawings to be included in an approved Site Plan and Development Agreement.

The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the Planning Act. In order to ensure that this Vacant Land Condominium development functions properly, the following issues at a minimum will be addressed through conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common element and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Installation of fire route signs prior to registration;
- Confirmation of addressing information;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- A warning clause provision in the Condominium Declaration if the water service for the site is determined to be a regulated drinking water system by the MOECC, the Owner or Condominium Corporation may be required to meet the regulations under the Safe Drinking Water Act and the associated regulation O.Reg. 170/03.
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities.
- Ensuring that the Condominium Declaration to be registered on title adequately

addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other facilities and structures in the common elements.

### **Z.-1 Zoning By-law**

The zoning is currently Residential R3 (R3-3) which permits single detached, semi-detached, duplex, triplexes converted and fourplex dwellings. The recommended zoning is a Residential R6 Special (R6-5) Zone. The recommended Zone permits cluster housing in the form of townhouse dwellings. The standard lot frontage requirement is 22 metres minimum; however, it is recognized that this is an irregularly shaped parcel, with a large lot area, with a lot frontage on a public road, and the 31.8 metres is sufficient to accommodate the standard 6.7-metre-wide private driveway.

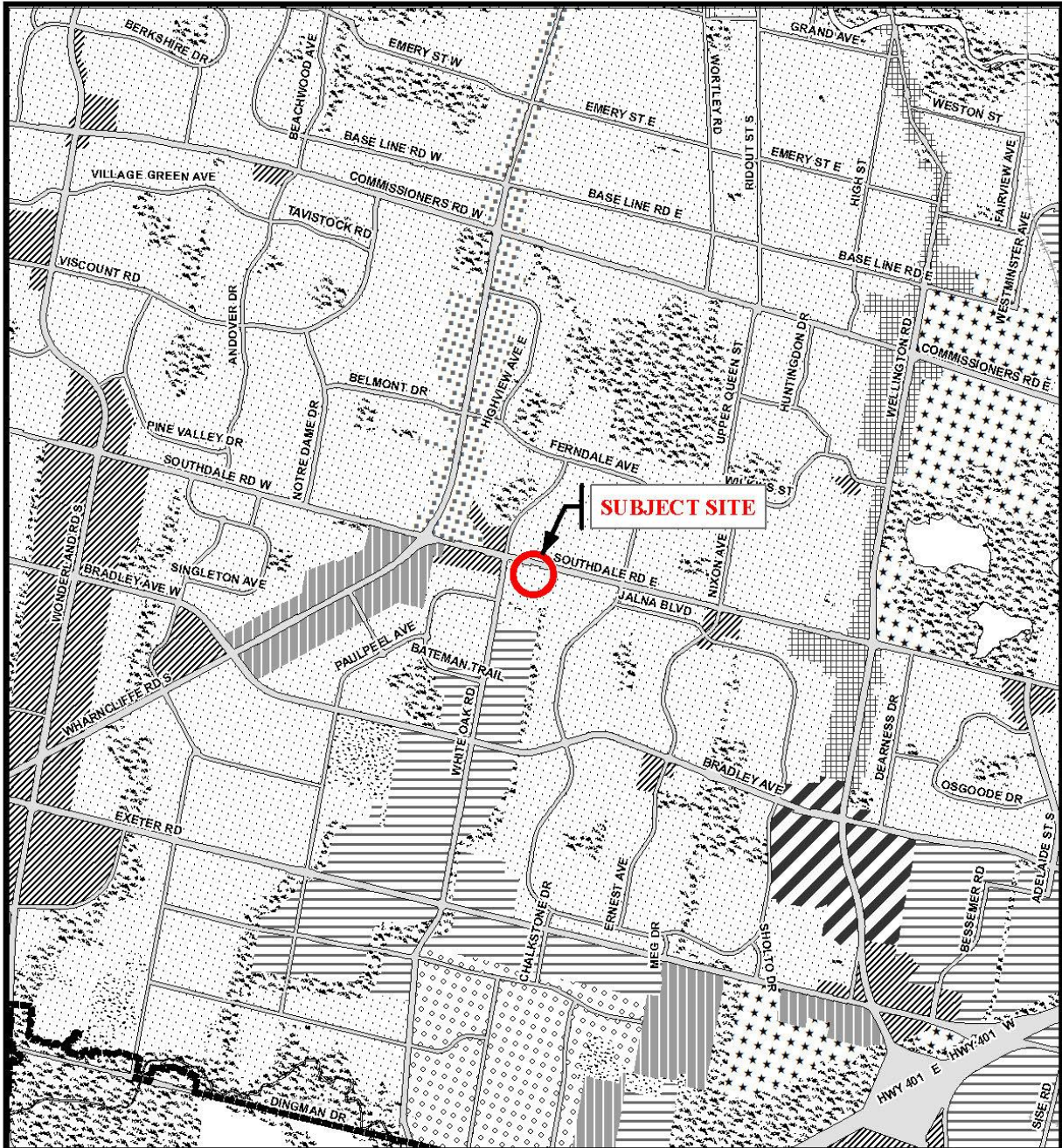
The increase in density from the R6-5 Zone standard of 30 units per hectare to 34 units per hectare represents a minor increase of 12% and is considered appropriate for an infill development such as this. The recommended zoning amendment is considered appropriate and conforms to the general intent of the 1989 Official Plan and The London Plan.

### **Provincial Policy Statement, 2020**

As this proposal represents a form of residential infill of vacant or underutilized lands, it is supported by the PPS which contains strong policies to direct growth to settlement areas, encourage a diversity of densities and land uses within settlement areas, and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, and availability and suitability of infrastructure and public service facilities required to accommodate projected needs (Section 1.1.3). It also achieves objectives for compact form, mix of uses, and densities that allow for the efficient use of land, infrastructure and public service facilities, supports the use of public transit, and maintains appropriate levels of public health and safety. There are no natural heritage features present and there are no concerns with respect to cultural heritage or archaeological resources (Section 2.1 and Section 2.6). As well, there are no natural hazards or known human-made hazards present on the subject site (Section 3.1 and Section 3.2). Therefore, the proposed Zoning By-law Amendment and Draft Plan of Vacant Land Condominium are found to be consistent with the Provincial Policy Statement.

# Appendix D – Relevant Background

## London Plan Map Excerpt



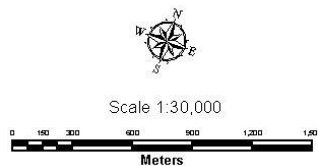
### Legend

Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

**CITY OF LONDON**  
 Planning Services /  
 Development Services  
**LONDON PLAN MAP 1**  
**- PLACE TYPES -**  
 PREPARED BY: Planning Services



**File Number:** Z-9308  
**Planner:** SM  
**Technician:** RC  
**Date:** February 3, 2021

# Official Plan Map Excerpt

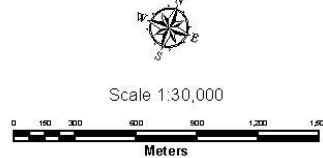


## Legend

- |  |                                   |
|--|-----------------------------------|
| Downtown                                 | Office Business Park              |
| Enclosed Regional Commercial Node        | General Industrial                |
| New Format Regional Commercial Node      | Light Industrial                  |
| Community Commercial Node                | Regional Facility                 |
| Neighbourhood Commercial Node            | Community Facility                |
| Main Street Commercial Corridor          | Open Space                        |
| Auto-Oriented Commercial Corridor        | Urban Reserve - Community Growth  |
| Multi-Family, High Density Residential   | Urban Reserve - Industrial Growth |
| Multi-Family, Medium Density Residential | Rural Settlement                  |
| Low Density Residential                  | Environmental Review              |
| Office Area                              | Agriculture                       |
| Office/Residential                       | Urban Growth Boundary             |
|  | Enterprise                        |

**CITY OF LONDON**  
 Department of  
 Planning and Development  
 OFFICIAL PLAN SCHEDULE A  
 - LANDUSE -

PREPARED BY: Graphics and Information Services



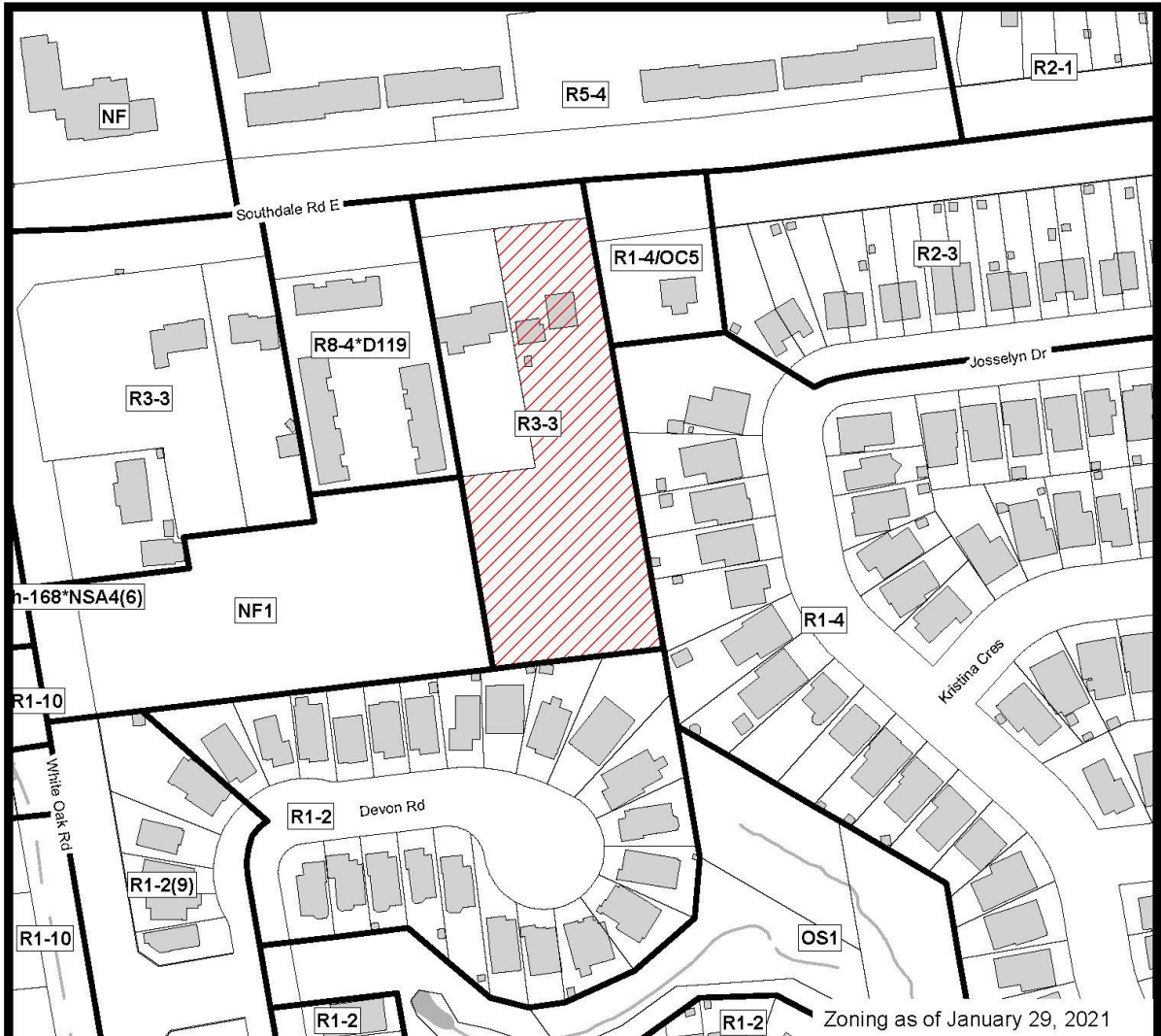
FILE NUMBER: Z-9308

PLANNER: SM

TECHNICIAN: RC

DATE: 2021/02/03

# Zoning By-law Map Excerpt



Zoning as of January 29, 2021



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

1) **LEGEND FOR ZONING BY-LAW Z-1**

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>R1 - SINGLE DETACHED DWELLINGS</li> <li>R2 - SINGLE AND TWO UNIT DWELLINGS</li> <li>R3 - SINGLE TO FOUR UNIT DWELLINGS</li> <li>R4 - STREET TOWNHOUSE</li> <li>R5 - CLUSTER TOWNHOUSE</li> <li>R6 - CLUSTER HOUSING ALL FORMS</li> <li>R7 - SENIOR'S HOUSING</li> <li>R8 - MEDIUM DENSITY/LOW RISE APTS.</li> <li>R9 - MEDIUM TO HIGH DENSITY APTS.</li> <li>R10 - HIGH DENSITY APARTMENTS</li> <li>R11 - LODGING HOUSE</li> <br/> <li>DA - DOWNTOWN AREA</li> <li>RSA - REGIONAL SHOPPING AREA</li> <li>CSA - COMMUNITY SHOPPING AREA</li> <li>NSA - NEIGHBOURHOOD SHOPPING AREA</li> <li>BDC - BUSINESS DISTRICT COMMERCIAL</li> <li>AC - ARTERIAL COMMERCIAL</li> <li>HS - HIGHWAY SERVICE COMMERCIAL</li> <li>RSC - RESTRICTED SERVICE COMMERCIAL</li> <li>CC - CONVENIENCE COMMERCIAL</li> <li>SS - AUTOMOBILE SERVICE STATION</li> <li>ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</li> <br/> <li>OR - OFFICE/RESIDENTIAL</li> <li>OC - OFFICE CONVERSION</li> <li>RO - RESTRICTED OFFICE</li> <li>OF - OFFICE</li> </ul> | <ul style="list-style-type: none"> <li>RF - REGIONAL FACILITY</li> <li>CF - COMMUNITY FACILITY</li> <li>NF - NEIGHBOURHOOD FACILITY</li> <li>HER - HERITAGE</li> <li>DC - DAY CARE</li> <br/> <li>OS - OPEN SPACE</li> <li>CR - COMMERCIAL RECREATION</li> <li>ER - ENVIRONMENTAL REVIEW</li> <br/> <li>OB - OFFICE BUSINESS PARK</li> <li>LI - LIGHT INDUSTRIAL</li> <li>GI - GENERAL INDUSTRIAL</li> <li>HI - HEAVY INDUSTRIAL</li> <li>EX - RESOURCE EXTRACTIVE</li> <li>UR - URBAN RESERVE</li> <br/> <li>AG - AGRICULTURAL</li> <li>AGC - AGRICULTURAL COMMERCIAL</li> <li>RRC - RURAL SETTLEMENT COMMERCIAL</li> <li>TGS - TEMPORARY GARDEN SUITE</li> <li>RT - RAIL TRANSPORTATION</li> <br/> <li>"h" - HOLDING SYMBOL</li> <li>"D" - DENSITY SYMBOL</li> <li>"H" - HEIGHT SYMBOL</li> <li>"B" - BONUS SYMBOL</li> <li>"T" - TEMPORARY USE SYMBOL</li> </ul> |
|--|---|

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING BY-LAW NO. Z.-1 SCHEDULE A**



FILE NO:  
Z-9308 SM

MAP PREPARED:  
2021/02/03 rc

1:2,000  
0 10 20 40 60 80 Meters

THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS